

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

IN RE: HOLOCAUST VICTIM ASSETS
LITIGATION

This Document Relates to: All Cases

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Case No. CV 96-4849 (ERK)(MDG)
(Consolidated with CV 96-5161
and CV 97-461)

MEMORANDUM & ORDER

FILED

IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.

★ SEP 30 2010 ★

BROOKLYN OFFICE

**MEMORANDUM & ORDER APPROVING SET 12HBJ¹ OF DECISIONS ON
APPEAL**

KORMAN, J.:

As provided under the Settlement Agreement, and in accordance with the procedures established in the December 8, 2000 Memorandum & Order, in the December 14, 2006 Memorandum & Order, and in the Plan of Allocation and Distribution of Settlement Proceeds, Special Master Helen B. Junz is hereby requesting the Court's approval of the 19 Decisions on Appeal listed in Annex A to this Order. At the direction of the Court, Special Master Junz was not involved in the initial review of the CRT's recommendations in connection with the 19 decisions described herein. Accordingly, the Court determined that it was appropriate for her to review these decisions on appeal and to provide her appellate recommendations to the Court.

Under Article 22(2), the Rules further provide that "[a]n Award may be made of the value of an Account in favor of a Claimant if:

¹ This being the twelfth Set of Appeal Decisions submitted to the Court by Special Master Helen B. Junz.

- a) the Claimant has identified a person with precisely the same name as the Account Owner, or the Claimant has accurately identified a person with substantially the similar name as the Account Owner or a credible pseudonym, and where applicable, has provided a plausible explanation for the difference in names; and
- b) the CRT is satisfied that the information provided by the Claimant is consistent with unpublished information in the bank records...”

In 16 of these 19 cases the CRT has determined, and the Special Master has confirmed on appeal, that the Claimant was not able to identify his or her relative as the Account Owner or as the Power of Attorney Holder of record. Accordingly, these appeals are dismissed. Of the remaining three cases, two involve Certified Awards and one rejected the Appellant’s claim to the existence of an account. The issues raised on Appeal in these cases include the assertion that the amount of the award was inadequate, objections to the entitlement of other parties to a Multiple Plausible Match decision and the assertion that transaction involving the opening of a line of credit had resulted in a dormant account. In all these cases the Special Master has confirmed on appeal that the CRT’s award determination was correct. Accordingly, these appeals are dismissed. Therefore, it is hereby

ORDERED that the 19 Decisions on Appeal listed in Annex A are hereby approved and shall be distributed to the relevant Claimants by the CRT.

It is further ordered that the Special Master shall provide the Court with the name and address of every Claimant receiving a Decision on Appeal, which information shall be filed with the Court under seal.

Dated: Brooklyn, New York
September 14 2010

SO ORDERED:

s/Edward R. Korman

Edward R. Korman
United States District Judge